

1 **NOTC**
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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 JERRY PARSONS; PATRICIA PARSONS;
14 BOYD BULLOCH; PATRICIA BULLOCH;
15 JANET B' AIR; ENRIQUETA CASTILLO;
16 GEORGE CASTILLO; LISA FAIRCLOTH;
17 WILLIAM FAIRCLOTH; LINDA GENTRY;
18 WENDELL GENTRY; MAYA LEWIS;
19 ANTHONY LI; CONNIE LI; BRADLEY
20 MAYS; PHU NGUYEN; LEONARD
21 PASCUAL; FRANCES RANDOLPH;
22 MELISSA RANDOLPH; RICHARD
23 SHELER; SYLVIA THOMPSON-SHELER;
24 FLORENCE SWICK; SUSAN VAZ;
25 JEFFREY WELTE; ELENA WOODARD;
26 ROSS WOODARD; TERESA YAMOMO;

27 Plaintiffs,

28 v.

29 BANK OF AMERICA CORPORATION,
30 BANK OF AMERICA, NATIONAL
31 ASSOCIATION, BAC HOME LOANS
32 SERVICING, LP; RECONTRUST
33 COMPANY, NA.

34 Defendants.

35 **AND ALL RELATED MATTERS**

Case No.: 2:11-cv-00661-JCM -GWF

**NOTICE OF VOLUNTARY DISMISSAL
AS TO PLAINTIFFS JERRY PARSONS
AND PATRICIA PARSONS ONLY**

36 COMES NOW, Plaintiffs JERRY PARSONS and PATRICIA PARSONS, by and through
37 their counsel of record, MATTHEW Q. CALLISTER, ESQ. of the law firm of CALLISTER +
38 ASSOCIATES, LLC, and hereby files the instant Notice of Voluntary Dismissal as to Plaintiffs Jerry
39 Parsons and Patricia Parsons *only*, as follows:

MEMORANDUM OF POINTS AND AUTHORITIES

I.

LEGAL ARGUMENT

This Voluntary Dismissal is made and based upon the provisions of FRCP 41(a)(1)(A)(i), which states:

(a) Voluntary Dismissal.

(1) By the Plaintiff.

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, **the plaintiff may dismiss an action without a court order by filing:**

(i) **a notice of dismissal** before the opposing party serves either an answer or a motion for summary judgment;

See, F.R.C.P. 41(a)(1)(A)(i) (Emphasis Added).

As such, and pursuant to the foregoing, Plaintiffs Jerry Parsons and Patricia Parsons do hereby voluntarily dismiss each and every claim against each and every Defendant only as to Plaintiffs Jerry Parsons and Patricia Parsons, without prejudice.


II.

CONCLUSION

Accordingly, Plaintiffs Jerry Parsons and Patricia Parsons do hereby voluntarily dismiss each and every claim against each and every Defendant only as to Plaintiffs Jerry Parsons and Patricia Parsons, WITHOUT PREJUDICE.

DATED: this 21st day of April, 2011.

CALLISTER + ASSOCIATES, LLC

By:  #11920
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CERTIFICATE OF SERVICE

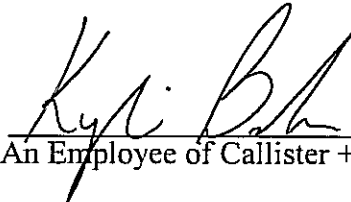
I HEREBY CERTIFY that I am an employee of the Law Firm of Callister + Associates, LLC, and not a party to nor interested in the within matter; that on the 29 day of April, 2011, service of the **NOTICE OF VOLUNTARY DISMISSAL AS TO PLAINTIFFS JERRY PARSONS AND PATRICIA PARSONS ONLY** was made by:

XX by serving the following parties electronically through CM/ECF as set forth below;

☐ by faxing a copy to the numbers below;

☐ or by depositing a copy in the United States Mail postage prepaid to the parties listed below:

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An Employee of Callister + Associates